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Filed

AUG 11 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLYNN N. YOUNG,
a/k/a Nicholynn Coppleyoung,
a/k/a Nicholynn Copple,

Defendant.

No. CR-10-00593 LHK

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE THE STATUS
HEARING FROM AUGUST 19, 2010 TO
SEPTEMBER 29, 2010, AND TO
EXCLUDE TIME

The parties have requested that the previously-set status hearing on August 19, 2010, be continued until September 29, 2010, and have further agreed to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161. The United States hereby submits this written request for an order granting the continuance, and finding that said time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served by taking such action and outweigh the best interests of the public and defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would unreasonably deny counsel the reasonable time

ORDER GRANTING CONTINUANCE AND
EXCLUDING TIME

Case No. CR 10-00593 LHK

1 necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
2 § 3161(h)(7)(B)(iv).

3
4 DATED: August 11, 2010

JOSEPH P. RUSSONIELLO

5 United States Attorney

6
7 /S/
8 GRANT P. FONDO
Assistant United States Attorney

9 /S/
10 BRUCE FUNK, ESQ.
11 Attorney for Defendant

12 **ORDER**

13 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY
14 ORDERS that the August 19, 2010, status hearing date be continued until September 29, 2010.
15 The Court further finds that failing to exclude the time between August 6, 2010, through
16 September 29, 2010, would deny counsel the reasonable time necessary for effective preparation,
17 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court
18 finds that the ends of justice served by excluding the time between August 6, 2010, through
19 September 29, 2010, from computation under the Speedy Trial Act outweigh the best interests of
20 the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion
21 of time should be made under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

22
23 IT IS SO ORDERED.

24
25
26 DATED: 8/11/10

Lucy H. Koh
LUCY H. KOH
United States District Judge

27
28 ORDER GRANTING CONTINUANCE AND
EXCLUDING TIME

Case No. CR 10-00593 LHK